

THE HONORABLE JAMES L. ROBERT

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MICROSOFT CORPORATION,  
Plaintiff,  
vs.  
MOTOROLA, INC., et al.,  
Defendants.  
MOTOROLA MOBILITY, INC., et al.,  
Plaintiffs,  
vs.  
MICROSOFT CORPORATION,  
Defendants.

Case No. C10-1823-JLR

DECLARATION OF CHRISTOPHER  
WION IN SUPPORT OF  
MICROSOFT'S OPPOSITION TO  
MOTOROLA'S MOTION FOR  
PARTIAL SUMMARY JUDGMENT  
DISMISSING MICROSOFT'S CLAIM  
FOR A RAND PATENT LICENSE  
AGREEMENT TO BE DETERMINED  
*AB INITIO* BY THE COURT

**NOTED: FRIDAY AUGUST 10, 2012**

I, Christopher Wion, hereby declare as follows:

1. I am an attorney at the law firm of Calfo Harrigan Leyh & Eakes LLP, one of the law firms representing Microsoft Corporation ("Microsoft") in the above-captioned matter, and have personal knowledge of the facts stated herein.

2. Attached hereto as Exhibit 1 is a true and correct copy of the Defendants-Appellants' Motion for Further Expedition of Appeal of Preliminary Injunction, by Waiving

DECLARATION OF CHRISTOPHER WION IN  
SUPPORT OF MICROSOFT'S OPPOSITION TO  
MOTOROLA'S MOTION FOR PARTIAL  
SUMMARY JUDGMENT - 1

LAW OFFICES  
CALFO HARRIGAN LEYH & EAKES LLP  
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SEATTLE, WASHINGTON 98104  
TEL. (206) 623-1700 FAX. (206) 623-8717

1 Oral Argument and Requesting Immediate Submission for Disposition on the Merits, Dkt. No.  
2 32 in Case No. 12-35352 (U.S. Court of Appeals for the Ninth Circuit July 25, 2012)

3 3. Attached hereto as Exhibit 2 is a true and correct copy of the Federal Trade  
4 Commission's Statement on the Public Interest in the matter of *Certain Gaming and*  
5 *Entertainment Consoles, Related Software, and Components Thereof*, Investigation No. 37-  
6 TA-752 (June 6, 2012).

7 4. Attached hereto as Exhibit 3 is a true and correct copy of Senator Mike Lee's  
8 letter to the Honorable Deanna Okun Re: *Certain Gaming Entertainment Consoles, Related*  
9 *Software, and Components Thereof*, Investigation No 377-TA-752 and *Certain Wireless*  
10 *Communication Devices, Portable Music and Data Processing Devices, Computers, and*  
11 *Components Thereof*, Investigation No 377-TA-745 (June 19, 2012).

12 5. Attached hereto as Exhibit 4 is a true and correct copy of Chairman Lamar  
13 Smith's letter to the Honorable Deanna Okun Re: *Certain Gaming Entertainment Consoles,*  
14 *Related Software, and Components Thereof* Investigation No 377-TA-752 (June 7, 2012).

15 6. Attached hereto as Exhibit 5 is a true and correct copy of Congressman Darrell  
16 E. Issa's letter to the Honorable Deanna Okun Re: *Certain Gaming Entertainment Consoles,*  
17 *Related Software, and Components Thereof* Investigation No. 337-TA-752 (June 8, 2012).

18 7. Attached hereto as Exhibit 6 is a true and correct copy of the Statement  
19 Regarding the Public Interest by Non-Party Intel Corporation in the Matter of *Certain Gaming*  
20 *Entertainment Consoles, Related Software, and Components Thereof* Investigation No. 337-  
21 TA-752 (June 8, 2012).

22 8. Attached hereto as Exhibit 7 is a true and correct copy of the Statement  
23 Regarding the Public Interest by Non-Party Nokia in the Matter of *Certain Gaming*  
24 *Entertainment Consoles, Related Software, and Components Thereof* Investigation No. 337-  
25 TA-752 (June 8, 2012).

DECLARATION OF CHRISTOPHER WION IN  
SUPPORT OF MICROSOFT'S OPPOSITION TO  
MOTOROLA'S MOTION FOR PARTIAL  
SUMMARY JUDGMENT - 2

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1           9.       Attached hereto as Exhibit 8 is a true and correct copy of the Statement  
2 Regarding the Public Interest by Non-Party IBM in the Matter of *Certain Gaming*  
3 *Entertainment Consoles, Related Software, and Components Thereof* Investigation No. 337-  
4 TA-752 (June 13, 2012).

5           10.      Attached hereto as Exhibit 9 is a true and correct copy of the Statement  
6 Regarding the Public Interest by Non-Party Hewlett-Packard Company in the Matter of  
7 *Certain Gaming Entertainment Consoles, Related Software, and Components Thereof*  
8 Investigation No. 337-TA-752 (June 6, 2012).

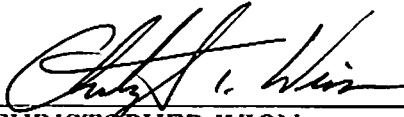
9           11.      Attached hereto as Exhibit 10 is a true and correct copy of the Statement  
10 Regarding the Public Interest by Non-Party Cisco Systems, Inc. in the Matter of *Certain*  
11 *Gaming Entertainment Consoles, Related Software, and Components Thereof* Investigation  
12 No. 337-TA-752 (June 8, 2012).

13           12.      Attached hereto as Exhibit 11 is a true and correct copy of the Statement  
14 Regarding the Public Interest by Non-Party Apple, Inc. in the Matter of *Certain Gaming*  
15 *Entertainment Consoles, Related Software, and Components Thereof* Investigation No. 337-  
16 TA-752 (June 8, 2012).

17           13.      Attached hereto as Exhibit 12 (and filed under seal) is a true and correct excerpt  
18 from the Expert Report of Charles R. Donohoe, Case No. C10-1823-JLR (July 24, 2012).

19           I declare under penalty of perjury under the laws of the United States of America that  
20 the foregoing is true and correct.

21           DATED this 6th day of August, 2012 in Seattle, Washington.

22  
23   
24 CHRISTOPHER WION  
25

**CERTIFICATE OF SERVICE**

I, Linda Bledsoe, swear under penalty of perjury under the laws of the State of Washington to the following:

1. I am over the age of 21 and not a party to this action.
2. On the 6<sup>TH</sup> day of August, 2012, I caused the preceding document to be served on counsel of record in the following manner:

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8 DATED this 6<sup>th</sup> day of August, 2012.

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10  
11 s/ Linda Bledsoe  
12 LINDA BLEDSOE  
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